

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CRIMINAL CASE
NO. 04-10194 RCL

ANTHONY BUCCI
DAVID JORDAN
FRANCIS MUOLO
Defendants

REPORT & ORDER ON
FINAL STATUS CONFERENCE

ALEXANDER, U.S.M.J.

On March 17, 2005, parties appeared before this Court for a Final Status Conference. With regard to the following issues, the parties have represented that:

1. There are no features of case that deserve special attention or modification of the standard schedule;
2. Discovery is complete and there are no pending discovery motion. However, the government continues to provide automatic discovery as that information becomes available;
3. Supplemental discovery is anticipated;
4. (a) Total amount of time ordered excluded under the Speedy Trial Act: July 15, 2004, through August 12, 2004 (28 days); August 12, 2004, through August 24, 2004 (12 days); August 24, 2005, through December 14, 2004 (112 days), and December 14, 2004, through March 17, 2005 (93 days), for a total of two hundred and forty-five (245) days as of March 17, 2005. The time period from July 6, 2004, through July 14, 2004 (9 days) has not been excluded by the parties. The government and defense will file a joint motion for the period excludable delay with respect to the filing of dispositive motions.
(b) The total amount of time to proceed to trial is sixty-one (61) days as of March 17, 2005;
(c) There are anticipated dispositive motions that may cause additional excludable time under the Speedy Trial Act;

5. (a) The defendants do not intend to raise a defense of insanity;
(b) The defendants do not intend to raise a defense of public authority.
6. The Government has not requested notice of alibi by the defendants;
7. (a) There are anticipated motions to suppress, dismiss, motions to sever, and motions in limine which will require rulings by the District Judge before trial;
(b) A briefing schedule has been established;
8. The defendant has requested that the case not be scheduled before the District Judge until defense counsel has resolved the matter of prior convictions of the defendant;
9. Resolution of case without trial is unlikely;
10. Trial is anticipated. The estimated duration of the trial is fifteen (15) days;
11. Other matters: there is a pending motion to modify conditions of bail (#110) under advisement.

IT IS HEREBY ORDERED THAT

A motion date pursuant to Fed. R. Crim. P. 12 (c) has been established. Dispositive motions shall be due on or before **May 2, 2005**, with the government's motions due **fourteen (14) days thereafter**. Whereas all pretrial matters referred to the Magistrate Judge by the District Judge have been resolved, the Court will return the case to the District Judge.

HONORABLE JOYCE LONDON ALEXANDER
U.S. MAGISTRATE JUDGE

By the Court:

March 31, 2005

Date

/S/ Rex Brown

Courtroom Clerk

(617) 748-9238